

## REMARKS

Applicant respectfully requests reconsideration of this application in view of the following remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in substantially the same order in which the corresponding issues were raised in the Office Action.

### Status of the Claims

Claims 1-3 and 5-23 are pending. Claims 1 and 21 are currently amended to more clearly define pre-existing claim limitations. No claims are canceled. No claims are added. No new matter has been added.

### Summary of the Office Action

Claims 1-3, 5, and 17-13 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,510,417 to Woods et al. (hereinafter "Woods")

Claims 6 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Woods in view of U.S. Patent No. 5,970,446 to Goldberg et al. (hereinafter "Goldberg").

Claims 15-23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Woods in view of U.S. Patent No. 5,774,525 to Kanevsky et al. (hereinafter "Kanevsky").

### Response to Rejections under 35 U.S.C. § 102(e)

The Office Action rejected claims 1-3, 5, and 17-13 under 35 U.S.C. § 102(e) as being anticipated by Woods. Applicant respectfully requests withdrawal of these rejections because the cited reference fails to disclose all of the limitations of the claims.

### CLAIMS 1-3, 5, AND 7-13

Claim 1 stands rejected under 35 U.S.C. § 102(e) as being anticipated by Woods. Applicant respectfully submits that claim 1 is patentable over the cited reference because Woods does not disclose all of the limitations of the claim. Claim 1, as amended, recites:

A system comprising:  
a module to identify a user;

a voice user interface to facilitate communications between the user and the system;

a database to store contextual information pertaining to the user;  
and

the system to use user-specific contextual information to **dynamically change the voice user interface**, wherein the voice user interface alters navigational options through the voice user interface that are presented to the user **based upon environmental information** at the location of the user.

(Emphasis added).

In support of the rejection, the Office Action states, in part:

As per claim 1, Woods teaches . . . "the system to use user-specific contextual information to **dynamically change the voice user interface**, wherein the voice user interface alters navigational options through the voice user interface that are presented to the user **based upon environmental information** at the location of the user" (col. 24, line 30 to col. 25, line 65).

Office Action, October 5, 2005, pp. 2-3 (emphasis added).

The Office Action also states:

The examiner disagrees with the applicant's above assertion because "environmental information at the location of the user" is broadly interpreted as defined by the specification and further defined by the dependent claims. The applicant has defined in the specification page 7 and in claims 5 and 6, "environmental information at the location of the user." According to applicant's definition the claimed limitation teaches by Woods at col. 25, lines 1-18, particularly **reads on "zip code"** and also at col. 13, lines 17-29, particularly **reads on "a call from a landline or cell phone."**

Office Action, October 5, 2005, p. 7 (emphasis added).

Applicant respectfully disagrees with the Office Action's characterization of the prior art because Woods fails to disclose all of the limitations of the claim. In particular, Woods does not disclose environmental information because the zip code and call from a landline or cell phone disclosed by Woods are not environmental information. Moreover, even if the zip code or the call from a landline or cell phone were environmental information, Woods does not disclose dynamically changing the voice user interface based upon environmental information.

Woods is directed to voice access to internet-based information. Woods, Abstract. A general discussion of the disclosure of Woods is provided in Applicant's response to the previous Office Action; however, the specific references cited in the

current Office Action warrant additional discussion. The first reference (col. 25, lines 1-18) describes how the voice portal 10 uses automatic speech recognition (ASR) techniques to acquire a user's response. The example provided illustrates how the voice portal 10 may ask the user to say his or her ZIP code. The voice portal 10 then analyzes the voice response from the user (e.g., the user says the numbers of his or her ZIP code) to determine which numbers the user said.

However, the ZIP code is not environmental information as recited in the claim. The specification of the present application discusses an embodiment of environmental information as "information such as details of the user's chosen communication device, 202, details of the communication channel, or audio scene information." Detailed Description, p. 7, lines 7-8. (Further discussion of the communication channel characteristics are provided in the present application at page 9, lines 4-19. Further discussion of the audio scene information is provided at page 9, line 20 to page 10, line 10.) In contrast, the ZIP code is a voice response from a user and does not qualify as environmental information as recited in the claim because the voice entry of the ZIP code and the ZIP code itself are not details of the user's chosen communication device, details of the communication channel, or audio scene information. Therefore, the reference to a ZIP code does not disclose environmental information.

The second reference (col. 13, lines 17-29) describes the session class record 404 of the exemplary data structure model 400. The session class record stores general information about a user's session. Woods, col. 13, lines 17-18. The general information includes: status, start time, duration, customer, state, and last interaction. Woods, Fig. 4. None of these record entries deals with the environmental information at the location of the user. The Office Action's reliance on the reference to a call from a landline or cell phone is misplaced. In proper context, Woods discloses that "[d]ata, such as, time of day and duration are general attributes [of a session,] but analysis on whether the user made a call from a landline or cell phone is specific to phone sessions." Woods, col. 13, lines 20-22 (emphasis added). Subsequent language in the same paragraph proceeds to discuss the general information (e.g., "reconnect at that specific time"), but is silent in regard to whether a call is from a landline or cell phone. Woods merely discloses that the type of device used to place the call is "specific to phone sessions;" however, Woods does not

disclose that such information is stored or even determined in relation to the session class record 404. Therefore, the reference to a call from a landline or cell phone does not disclose environmental information.

Furthermore, for the sake of argument, even if the ZIP code or the call from a landline or cell phone were environmental information, Woods fails to disclose dynamically changing the voice user interface system based on the ZIP code or call from a landline or cell phone. At most, Woods merely teaches storing some information for subsequent marketing and advertising purposes, as well as generally improving both performance and service. Woods, col. 13, lines 22-25. However, Woods is silent as to how such information might be applied for marketing or performance enhancements. Moreover, Woods is completely silent as to potentially using such information to make dynamic changes to the voice portal 10 or any other part of the voice interface system. Therefore, Woods does not disclose dynamically changing the voice interface system based on environmental information.

In contrast, claim 1 recites “the system to use user-specific contextual information to dynamically change the voice user interface, wherein the voice user interface alters navigational options through the voice user interface that are presented to the user based upon environmental information at the location of the user.” For the reasons stated above, Woods fails to disclose all of the limitations of claim 1. In particular, Woods does not disclose a system to use user-specific contextual information to dynamically change the voice user interface, wherein the voice user interface alters navigational options through the voice user interface that are presented to the user based upon environmental information at the location of the user. Given that the cited reference fails to disclose all of the limitations of the claim, Applicant respectfully submits that claim 1 is patentable over the cited reference. Accordingly, Applicant requests that the rejection of claim 1 under 35 U.S.C. § 102(e) be withdrawn.

Given that claims 2-3 and 5-13 depend from independent claim 1, which is patentable over the cited reference, Applicant respectfully submits that dependent claims 2-3 and 5-13 are also patentable over the cited reference. Accordingly, Applicant requests that the rejection of claims 2-3, 5, and 7-13 under 35 U.S.C. § 102(e) and the rejection of claims 6 and 14 under 35 U.S.C. § 103(a) be withdrawn.

Response to Rejections under 35 U.S.C. § 103(a)

The Office Action rejected claims 6 and 14-23 under 35 U.S.C. § 103(a) as being unpatentable Woods in view of Kanevsky. In particular, the Office Action rejected claims 6 and 14 under 35 U.S.C. § 103(a) as being unpatentable over Woods in view of Goldberg. Given that claims 6 and 14 depend from independent claim 1, which is patentable over Woods, Applicant respectfully submits that claims 6 and 14 are patentable over the combination of cited references because Goldberg does not remedy the failure of Woods to disclose the limitation of environmental information.

The Office Action rejected claims 15-23 under 35 U.S.C. § 103(a) as being unpatentable over Woods in view of Kanevsky. Applicant respectfully requests withdrawal of these rejections because the combination of cited references fails to teach or suggest all of the limitations of the claims.

**CLAIMS 15-17**

Claim 15 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Woods in view of Kanevsky. Applicant respectfully submits that claim 15 is patentable over the combination of cited references because the combination does not teach or suggest all of the limitations of the claim. Claim 15 recites:

A method comprising:  
    using user-specific contextual information to change a voice user interface;  
    **using environmental information to change the voice user interface;** and  
    altering the security characteristics presented to the user by the voice user interface based upon the environmental information at the location of the user.  
(Emphasis added).

In support of the rejection, the Office Action states, in part:

As claim 15, Woods teaches, "a method comprising": "using user-specific contextual information to change a voice user interface and **using environmental information to change the voice user interface**" (col. 24, line 30 to col. 25, line 65) . . . .  
Office Action, October 5, 2005, p. 5 (emphasis added).

Applicant respectfully disagrees with the Office Action's characterization of the prior art because the cited combination of prior art fails to teach or suggest all of the limitations of the claim. In particular, Woods and Kanevsky, either alone or in combination, do not teach or suggest environmental information because the zip code and call from a landline or cell phone disclosed by Woods are not environmental information. Moreover, even if the references to the zip code or the call from a landline or cell phone were environmental information, Woods does not disclose using environmental information to change the voice user interface. Additionally, Kanevsky does not teach or suggest environmental information or using environmental information to change the voice user interface.

In contrast, claim 15 recites "using environmental information to change the voice user interface." For the reasons stated above, Woods and Kanevsky, either alone or in combination, fail to teach or suggest all of the limitations of the claim. In particular, the cited references do not teach or suggest using environmental information to change the voice user interface. Given that the cited references fail to teach or suggest all of the limitations of the claim, Applicant respectfully submits that claim 15 is patentable over the cited references. Accordingly, Applicant requests that the rejection of claim 15 under 35 U.S.C. § 103(a) be withdrawn.

Given that claims 16 and 17 depend from independent claim 15, which is patentable over the cited references, Applicant respectfully submits that dependent claims 16 and 17 are also patentable over the cited references. Accordingly, Applicant requests that the rejection of claims 16 and 17 under 35 U.S.C. § 103(a) be withdrawn.

#### CLAIMS 18-22

Claim 18 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Woods in view of Kanevsky. Applicant respectfully submits that claim 18 is patentable over the combination of cited references because the combination does not teach or suggest all of the limitations of the claim. Claim 18 recites:

An apparatus comprising:

means for using user-specific contextual information to change a voice user interface;

**means for using environmental information to change the voice user interface;** and

means for altering the security characteristics presented to the user by the voice user interface based upon the environmental information at the location of the user.

(Emphasis added).

In support of the rejection, the Office Action states that claim 18 is interpreted and thus rejected for the same reasons set forth in the rejection of claim 15. Office Action, October 5, 2005, p. 7.

Applicant respectfully disagrees with the Office Action's characterization of the prior art because the cited combination of prior art fails to teach or suggest all of the limitations of the claim. In particular, Woods and Kanevsky, either alone or in combination, do not teach or suggest environmental information because the zip code and call from a landline or cell phone disclosed by Woods are not environmental information. Moreover, even if the references to the zip code or the call from a landline or cell phone were environmental information, Woods does not disclose means for using environmental information to change the voice user interface. Additionally, Kanevsky does not teach or suggest environmental information or means for using environmental information to change the voice user interface.

In contrast, claim 18 recites "means for using environmental information to change the voice user interface." For the reasons stated above, Woods and Kanevsky, either alone or in combination, fail to teach or suggest all of the limitations of the claim. In particular, the cited references do not teach or suggest means for using environmental information to change the voice user interface. Given that the cited references fail to teach or suggest all of the limitations of the claim, Applicant respectfully submits that claim 18 is patentable over the cited references. Accordingly, Applicant requests that the rejection of claim 18 under 35 U.S.C. § 103(a) be withdrawn.

Given that claims 19-20 depend from independent claim 18, which is patentable over the cited references, Applicant respectfully submits that dependent claims 19-20 are also patentable over the cited references. Accordingly, Applicant requests that the rejection of claims 19-20 under 35 U.S.C. § 103(a) be withdrawn.

## CLAIMS 21-23

Claim 21 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Woods in view of Kanevsky. Applicant respectfully submits that claim 21 is patentable over the combination of cited references because the combination does not teach or suggest all of the limitations of the claim. Claim 21, as amended, recites:

A machine-readable medium that provides instructions, which when executed by a machine, cause the machine to perform operations comprising:

using user-specific contextual information to change a voice user interface;

**using environmental information to change the voice user interface;** and

altering the navigational options through the user interface presented to the user by the voice user interface based upon the environmental information at the location of the user.

(Emphasis added).

In support of the rejection, the Office Action states that claim 21 is interpreted and thus rejected for the same reasons set forth in the rejection of claim 15. Office Action, October 5, 2005, p. 7.

Applicant respectfully disagrees with the Office Action's characterization of the prior art because the cited combination of prior art fails to teach or suggest all of the limitations of the claim. In particular, Woods and Kanevsky, either alone or in combination, do not teach or suggest environmental information because the zip code and call from a landline or cell phone disclosed by Woods are not environmental information. Moreover, even if the references to the zip code or the call from a landline or cell phone were environmental information, Woods does not disclose using environmental information to change the voice user interface. Additionally, Kanevsky does not teach or suggest environmental information or using environmental information to change the voice user interface.

In contrast, claim 21 recites "using environmental information to change the voice user interface." For the reasons stated above, Woods and Kanevsky, either alone or in combination, fail to teach or suggest all of the limitations of the claim. In particular, the cited references do not teach or suggest using environmental information to change the voice user interface. Given that the cited references fail to teach or suggest all of the limitations of the claim, Applicant respectfully submits that claim 21 is patentable over



the cited references. Accordingly, Applicant requests that the rejection of claim 21 under 35 U.S.C. § 103(a) be withdrawn.

Given that claims 22 and 23 depend from independent claim 21, which is patentable over the cited references, Applicant respectfully submits that dependent claims 22 and 23 are also patentable over the cited references. Accordingly, Applicant requests that the rejection of claims 22 and 23 under 35 U.S.C. § 103(a) be withdrawn.

### CONCLUSION


It is respectfully submitted that in view of the amendments and remarks set forth herein, the rejections have been overcome. If the Examiner believes a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Jeffrey Holman at (408) 720-8300.

If there are any additional charges, please charge them to Deposit Account No. 02-2666.

Respectfully submitted,

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